

REMARKS

Claims 1, 4-12 and 15-20 have been rejected as being obvious over a combination of U.S. Patent 6,637,028 to Voyticky in view of the Admitted Prior Art.

By this amendment, claims 1-20 have been canceled in order to better highlight the features of original claim 1, and to better distinguish the Voyticky reference. The application now includes claims 21-24.

The Admitted Prior Art is best presented in Figure 1 of the patent application. As explained on page 1 of the application, at lines 18 et seq., the conventional advertisement broadcasting and delivery system is composed of a user terminal 240, a broadcasting station system 230, a network connected between the user terminal 40, and the broadcasting system 30, and a satellite. In the operation of the conventional system, as explained in the paragraph bridging pages 1 and 2 of the patent application advertisers are produced by advertising agencies and are broadcast by broadcasters. This paragraph is referenced by the Examiner at the top of page 4 of the office action.

Wholly lacking from the prior art is the service system 50 shown in Figure 2 which connects with the user terminal 40 and broadcasting system 30 through the network, and with the advertiser system 10 and advertising agent system. The paragraph bridging pages 1 and 2 of the patent application does not suggest or make obvious the service system 50.

With reference to Figure 3a-3c, the bidirectional type broadcasting and delivering system, which is contemplated by this invention and is shown generally as service system 50, is illustrated in greater detail. Note the connection of the various systems 10, 20, and 30 to the service system and user terminal in Figure 3A, and also note the feedback to the various systems provided in Figures 3B and 3C.

With respect to Voyticky, it can be seen that the user 101 upon seeing an item of interest on his TV 102 can indicate his interest in the product by clicking a remote 105. The user's home computer 106 is linked to an internet server 107 which is also linked to various broadcasters 104. Based on the time the user clicks his remote, the server can determine an assortment of goods and services that were displayed at the

time because both the time of clicking and the channel which was being viewed are known (from cable service 108 and cable box 103). Then, based on this determination, focused "PRODUCT INFO" which relates to the products or services presented is sent to the server 107 via the internet which can be subsequently viewed on the user's home computer 106. That, is Voyticky, at most, can be viewed as mechanism for providing a user with product focused advertising to his computer, when the user, at his discretion, makes selections during the time when he is watching television programming.

Voyticky does not provide any mechanism that will provide the user customized product information based on who the user is (i.e., Voyticky does not consider policy data). In addition, Voyticky does not provide feedback to broadcasters and advertisers which will assist them in ascertaining which advertising was more effective than other advertising.

The Examiner's attention is directed to pages 10-15 of the application beginning at line 18 on page 10. Here it can be seen that the "policy data" is used to determine the contents of detailed data to be downloaded to a user. That is, the policy data functions as a reference of sales promotion of an advertiser where, for example, the purchaser layers of products may be different depending on the age and sex of the user, and these layers are used to provide information of products optimal to each purchase layer. As explained in the paragraph bridging pages 13 and 14 of the application, the policy data transferred by the advertiser system 10 determines the advertisement program and sales promotion contents for the detailed data (e.g., discounts, giveaways, etc.). The policy data for the advertising system may contain the proceeds and profitability, each user personal data, and external data such as time zone and weather. The advertising agency system allocates a policy ID to the policy data and transmits the advertisement program to the broadcasting station system 30. The broadcasting station transmits the policy data and ID to the service system and broadcasts the advertisement to a number of user terminals by satellite 60 (see page 14).

When a user is viewing a private page exclusive to the user, menu items can be

selected at terminal 40, and after menu items are selected, the service system 50 refers to policy data of the broadcasting station, advertising agency or the advertiser to determine the contents of the detailed data to be provided (see page 12, at lines 17 et seq.). As explained on page 13, based on selections made by the user, feedback for advertisement effective is forwarded to the broadcaster, advertising agency and advertiser, and the policy data is reset and optimized for update. Page 15 explains that the user ID is transmitted from the user terminal when selections are made. The user ID includes personal data registered by the user.

With reference to the paragraph bridging pages 20 and 21, it can be seen that when a user makes selections based on advertisements, there is a tracking function whereby the advertiser is charged a fee based on these selections.

The private page presented to the user shown in Figure 5 shows icons related to the selections he made during programming. Figure 6 shows a private page with "detailed" information. As explained on page 23, for example, when the user is viewing the detailed information for a CD he or she may hear parts of the CD, but also may research the CD for purchase using the private page. Page 23, lines 14-16 highlights a contingent fee aspect of the invention where payments are made based on numbers of reservations.

As explained in the paragraph bridging pages 23 and 24, in real time or by other mechanism, the data for the sales promotion to the users can be optimized anonymously without privacy problems. It is determined that a user has viewed the advertisement program and the data indicating he wants to view it (i.e., the detailed information). This allows optimizing the effect of the program (rebate, give away, etc.) or advertisement (see page 25).

Claims 20-24 emphasize the above-described distinctions between the invention and Voyticky. In particular, Voyticky does not contemplate any accounting, using a service system, to a broadcaster, advertising agency or advertiser based on results of said selectively presenting step. Rather, all Voyticky shows is Product Info being provided to a home computer based on the time the user clicked remote 105. Even if the number of clicks were provided to the broadcasters 104 of Voyticky, this

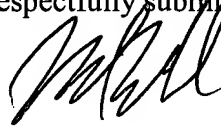
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still would not anticipate or make obvious the invention because the invention is providing a measure of the users that wanted to see the information based on their decision to view more detailed information for specific items. As explained in pages 23-25 of the patent application, this type of feedback will help the advertisers better optimize their advertising and programs, and will also permit the service system, advertising agencies, or broadcasters to be paid on "real interest" generated by and advertisement or advertising program. In addition, Voyticky does not provide an anonymous mechanism whereby customer data or external data can be considered with user entered personal data, as is set forth in claims 23 and 24.

In view of the above, claims 21-24 should now be in condition for allowance. Reconsideration at an early date is requested.

Applicant hereby makes a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041 (Whitham, Curtis & Christofferson).

Respectfully submitted,



Michael E. Whitham
Registration No. 32,635

Whitham, Curtis & Christofferson, P.C.
11491 Sunset Hills Road, Suite 340
Reston, Virginia 20190
Tel. (703) 787-9400
Fax. (703) 787-7557